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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CLIFFORD MCCLAIN,

Petitioner,

vs.

BRIAN WILLIAMS, *et al.*,

Respondents.

Case No. 2:17-cv-00753-RFB-NJK

**UNOPPOSED MOTION FOR
ENLARGMENT OF TIME
(SECOND REQUEST)**

Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, hereby respectfully move this Court for an order granting a thirty (30) day enlargement of time, up to and including, February 3, 2021 in which to file and serve their answer in this matter.

This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and other materials on file herein.

This is Respondents' second request for an enlargement of time in this matter.

RESPECTFULLY SUBMITTED this 4th day of January, 2021.

AARON D. FORD
Attorney General

By: /s/ Charles L. Finlayson
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DECLARATION OF COUNSEL

I, CHARLES L. FINLAYSON, hereby state, based on personal knowledge and/or information and belief, that the assertions of this declaration are true:

1. I am a Senior Deputy Attorney General of the Post-Conviction Division of the Nevada Attorney General's Office, and I make this declaration on behalf of Respondents' motion for enlargement of time.

2. My response in this matter is due January 4, 2021. By this motion I am seeking a 30-day extension of time, up to and including February 3, 2021, to file and serve my response.

3. I have been working on several earlier-filed cases and require additional time to complete my response in this matter. I recently completed answers in *Leonard v. Gittere et al.*, 2:99-cv-00360-MMD-CWH, (death penalty) and *Schnueringer v. Russell, et al.*, 3:19-cv-00353-MMD-WGC. In addition, I recently filed a supplemental answering brief and have been working on a second supplemental answering brief in *Nika v. Gittere*, 19-99007 (death penalty). I also participated in an evidentiary hearing in *Murray v. Attorney General of the State of Nevada et al.*, 2:12-cv-02212-RFB-VCF, which involved

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1 complicated COVID-19 related issues and the merits of a federal habeas petition. These obligations have
2 prevented me from completing a timely response.

3 4. I contacted counsel for Mr. McClain, Martin Novillo, who indicated he had no objection to
4 my request.

5 5. This motion is made in good faith and not for the purposes of delay.

6 DATED this 4th day of January, 2021.

7 By: /s/ Charles L. Finlayson
8 CHARLES L. FINLAYSON (Bar No. 13685)

9 **ORDER**

10 IT IS SO ORDERED.

11 Dated this 4th day of January, 2021.

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16 **RICHARD E. BOULWARE, II**
17 **United States District Court**
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 4th day of January, 2021, I served a copy of the foregoing **UNOPPOSED MOTION FOR ENLARGMENT OF TIME (SECOND REQUEST)**, by U.S. District Court CM/ECF electronic filing to:

Martin L. Novillo
Assistant Federal Public Defender
411 E Bonneville Ave. Ste. 250
Las Vegas, NV 89101

/s/ Amanda White